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Government as Truth Fairy

Every journalist from time to time faces a dilemma: what to do with a story that has a certain amount of information on one side and contradictory information on another side. A balanced story ("on the one hand . . . on the other hand") is unlikely to be very interesting, and, worse, it may not be an accurate representation of reality. The truth may not lie in the middle. It may lie on one side. In that case, giving equal weight to both sides is a distortion. But failing to give equal weight to both sides may also be unfair. As lawyers and journalists know well, many cases are open and shut until you've heard the other side.

This perennial hazard of reporting comes up now because of the troubling case of ABC News, the Central Intelligence Agency, the Federal Communications Commission and Ronald R. Rewald, a former Hawaii businessman who faces federal charges of fraud, tax evasion and perjury involving an alleged investment scandal. Last fall ABC broadcast a two-part series asserting that Rewald had been a CIA agent during his financial escapades and that the agency had plotted to murder him to keep his story from getting out.

As detailed by Times staff writer David Crook in last Sunday's Calendar section, the basis for the ABC story was flimsy at best. It was not adequately checked, and it lacked independent confirmation. The network subsequently retracted the charge about the plot to kill Rewald, but it stands by the rest of the story.

This would be a matter between ABC and its viewers were it not for the CIA's decision to get

the Federal Communications Commission involved. Agencies of the federal government may not sue for libel, so the CIA took another tack. It brought a complaint to the FCC under the fairness doctrine, which requires that broadcasters present all sides of a controversial issue. Earlier this year the commission's staff ruled that a challenge by a government agency under the fairness doctrine is permissible—a decision that has far-reaching implications for the holders of all broadcast licenses in the United States.

ABC appears to have aired a story that was wrong. It was not alone. British Broadcasting Corp., the Wall Street Journal and CBS News, to a greater or lesser extent, had earlier published or broadcast accounts of Rewald and the CIA connection, though none went as far as ABC did. ABC got out the hypodermic needle and pumped this story up—not the first time in the history of journalism (nor, alas, probably not the last) that reporters refused to let facts get in the way of a good yarn.

But under no circumstances should the government be involved in investigating the accuracy of a broadcast. Down that road lies government-imposed Truth, which is much more dangerous than a story that is wrong. However, the CIA, like everyone else, is entitled to fair, accurate and responsible journalism, and there is a way to set things right.

ABC would be doing itself, its viewers, all broadcasters and all journalists a service by conducting its own investigation of what went wrong in the Rewald story and making the results public.